

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION (DAYTON)

|                       |   |                                     |
|-----------------------|---|-------------------------------------|
| VICTOR A. PATE,       | : | Case No. 3:16-cv-475                |
|                       | : |                                     |
| Plaintiff,            | : | District Judge Thomas M. Rose       |
|                       | : | Magistrate Judge Sharon L. Ovington |
| v.                    | : |                                     |
|                       | : |                                     |
| CITY OF DAYTON, OHIO, | : | <b>ORDER APPROVING</b>              |
|                       | : | <b>SETTLEMENT AGREEMENT</b>         |
| Defendant.            | : |                                     |

This matter having come before the Court on the Parties' Joint Motion to Approve Settlement Agreement under the Fair Labor Standards Act and the Court having been sufficiently advised, it is hereby ordered that the motion is GRANTED. The Court, having reviewed the Settlement Agreement and General Release, concludes that it is fair and reasonable.

IT IS THEREFORE ORDERED that the parties' Joint Motion to Approve Settlement Agreement is GRANTED. In their Settlement Agreement and General Release, the parties requested the Court to retain jurisdiction to enforce the terms of the Settlement Agreement and General Release consistent with *Kokkonen v. Guardian Life Insurance Company of America*, 511 U.S. 375, 381–82 (1994). THUS, IT IS FURTHER ORDERED:

1. The terms and conditions of the Settlement Agreement and General Release are incorporated herein.
2. By consent of the parties, the Court shall retain jurisdiction for the purpose of enforcing the attached Settlement Agreement and General Release.
3. Except as necessary to enforce the terms of the attached Settlement Agreement and General Release, this case is hereby dismissed with prejudice.

IT IS SO ORDERED.

s/Thomas M. Rose

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UNITED STATES DISTRICT JUDGE